

REMARKS

Status of Claims

Claims 1-14 are pending in the present application. Claims 10-14 are withdrawn from consideration. Claims 1-9 stand rejected. Favorable reconsideration is respectfully requested in light of the following remarks.

Affirmation of Election

Applicant hereby affirms the election to prosecution of Group I, claims 1-9.

Claims Rejections Under 35 U.S.C. 112, Second Paragraph

Claim 7 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner states that in claim 7, it is confusing as to if the “first compacted area” (claim 7) and “structural layer” (claim 1) are the same. The Examiner further states that it is confusing as to if the “second lofted area” (claim 7) is the same as the “insulating area” (claim 1).

Applicants have amended claim 7 to provide clarity, using consistent terminology, and proper antecedent basis to the claim language.

Applicants respectfully request that the 35 U.S.C. 112, second paragraph, rejection of claim 7 be withdrawn.

Rejection Under 35 U.S.C. 102(a) – Tilton et al.

Claims 1-3, 5-7 and 9 stand rejected under 35 U.S.C. 102(a) as being anticipated by Tilton et al. (US 2003/0008581).

35 U.S.C. 102(a) recites:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patent or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Applicants respectfully submit the Tilton et al. publication was filed on May 31, 2002. The present invention was filed on December 31, 2001 **before** the Tilton et al. publication. Accordingly, the Tilton et al. reference cannot properly be used as a reference as it was filed after Applicants' filing date.

Accordingly, Applicants respectfully request that the 102(a) rejection of claims 1-3, 5-7 and 9 be withdrawn.

Rejection Under 35 U.S.C. 103(a)

Claim 4 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Tilton et al. in view of Val.

Claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Tilton et al.

As stated above, the Tilton et al. publication cannot be properly used as a reference under 35 U.S.C. 102(a). As such, Applicants respectfully request that the 103(a) rejections of claims 4 and 8 be withdrawn.

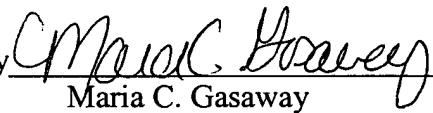
CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that claims 1-9 are allowable. The Examiner is invited to telephone the Applicants' undersigned agent at (740) 321-7213 if any unresolved matters remain.

If any questions should arise with respect to the above Remarks, or if the Examiner has any comments or suggestions to place the claims in better condition for allowance, it is requested that the Examiner contact Applicants' agent at the number listed below.

Applicant authorizes any fees required pertaining to this response be charged to Deposit Account No. 50-0568.

Respectfully submitted,
OWENS-CORNING

By 

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